IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 1843 of 2005

Between:

Chigurla Leelamma W/o Late Linganna
R/o Kottala Cheruvu (Village) Govvalakuntla (Post)

Atmakur Mandal, Kurnool District

..... PETITIONER

AND

1. Project Officer, Tribal Welfare Department, Integrated Tribal

Development Agency (PTG Chenchu) Sri Sailam Project,

Kurnool District.

2 The Branch Manager, State Bank of India, Atmakur, Atmakur

Mandal Kurnool district

3 Arthi Naganna S/o A. Chinna Bheemudu,
R/o Kottacheruvu Village, Atmakur Mandal, Kurnool district

4 Smt. Uthaluri Venkatamma W/o Guravaiah,
R/o Kottacheruvu Village, Atmakur Mandal, Kurnool district

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to call for the connected records from the first respondent and issue an appropriate Writ, order or direction preferably a Writ in the nature of Mandamus declaring the action of the first respondent in issuing letter in Rc. No. C3/424/04 dated 17-12-2004 to the second respondent requesting to honour the specimen signatures of the newly elected president and secretary of Village Tribal Development Association (VTDA)

Kottacheruvu Village, Atmakur Mandal, Kurnool District is arbitrary, irrational and unreasonable and set aside the same.

Counsel for the Petitioner:MR.T.L.KRISHNA PRASAD

Counsel for the Respondent No.1: GP FOR SOCIAL WELFARE

Counsel for the Respondent No.2:SMT.CH.LAXMI KUMARI

Counsel for the Respondent Nos.3 and 4:---

The Court at the admission stage made the following O R D E R:

Challenging the impugned letter dated 17.12.2004, the petitioner filed the present writ petition.

Learned counsel appearing for the petitioner contended that the petitioner was removed from the post of President of Village Tribal Development Association (VTDA) Kottalacheruvu Village, Atmakur Mandal, Kurnool District without assigning any reasons, which is contrary to G.O.Ms.No.20, Social Welfare (TW.BUD.I) Department, dated 31.03.1999 and, therefore, the order under challenge suffers from serious legal infirmities.

On the other hand, learned Government Pleader for Social Welfare contended that the order of removal of the petitioner from the post of President is not under challenge and that the jurisdiction of the Project Officer to issue such proceedings is also not challenged and therefore, the writ petition is devoid of merits and it is liable to be dismissed.

Learned counsel appearing for the second respondent contended that the Project Officer is the competent authority and the second respondent has to take appropriate decision as per his directions and, therefore, there are no grounds to interfere with the order under challenge.

The impugned letter shows that the Secretary of VTDA, Kottalacheruvu, Atmakur Mandal, Kurnool District has resigned. The counsel for the petitioner contended that since the term of the office of the President is three years and as the petitioner was appointed on 02.12.2004, she cannot be removed before the term expires. The

petitioner was removed from the post of President of VTDA by the Project Officer. That order is not under challenge. The impugned letter is only a consequential order directing the second respondent to honour the specimen signature of the elected President and the Secretary. The competency or the jurisdiction of the Project Officer is not challenged before this Court. Since the order of removing the petitioner from the post of President is not under challenge, this Court is of the opinion that the consequential order also does not suffer from any jurisdictional error so as to call for interference. Hence the writ petition is devoid of merits and it is liable to be dismissed.

The writ petition is dismissed at the stage of admission. If the petitioner is so advised, she can challenge the order of the Project Officer in removing her from the post of President of VTDA. No costs.

08.02.2005

usd

To

1. The Project Officer, Tribal Welfare Department, Integrated Tribal Development Agency (PTG Chenchu) Sri Sailam Project, Kurnool District.
2. The Branch Manager, State Bank of India, Atmakur,

Atmakur Mandal, Kurnool district.

3. Two CCs to G.P. for Social Welfare, High Court of A.P. Hyderabad (OUT)

4. Two CD copies.